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NOT TO BE PUBLISHED IN THE OFFICIAL REPORTS

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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION ONE

THE PEOPLE,

Plaintiff and Respondent,

v.

LUIS ALBERT RIOS,

Defendant and Appellant.

B291056

(Los Angeles County
Super. Ct. No. TA142497)

APPEAL from a judgment of the Superior Court of Los Angeles County, Lynn D. Olson, Judge. Affirmed.

FredRico McCurry, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

On February 14, 2017, Luis Albert Rios, appellant, was charged in a felony complaint in case number TA142497 consisting of three counts: count 1—lewd act upon a child in violation of Penal Code section 288, subdivision (a); count 2—oral copulation or sexual penetration with a child 10 years old or younger in violation of Penal Code section 288.7, subdivision (a); and count 3—lewd act upon a child in violation of Penal Code section 288, subdivision (a).

On July 7, 2017, pursuant to a plea agreement, Rios pled no contest to count 1 of the complaint, a violation of Penal Code section 288, subdivision (a). He was then sentenced to five years of formal probation, ordered to serve 365 days in the Los Angeles County Jail and to pay various applicable fines. The remaining counts were dismissed.

While on probation in case number TA142497, on May 15, 2018, Rios was arrested and a new case filed against him in case number TA146043 charging a violation of Health and Safety Code section 11378, possession for sale.

On June 12, 2018, Rios plead guilty in case number TA146043 to the Health and Safety Code violation and admitted the probation violation in this matter, case number TA142497. On June 27, 2018, appellant was then sentenced to the low term of three years in state prison in case number TA142497 to run concurrently with a 32-month state prison sentence in case number TA146043.

After receiving a certificate of probable cause, Rios timely appealed.

We appointed counsel to represent Rios on appeal. After examination of the record, appointed counsel filed an opening brief raising no issues and asking this court to review the record

independently. (*People v. Wende* (1979) 25 Cal.3d 436, 441-442.) On December 18, 2018, we sent letters to Rios and appointed counsel, directing counsel to immediately forward the appellate record to Rios and advising Rios that within 30 days he could personally submit any contentions or issues that he wished us to consider. He has not responded.

We have examined the entire record and find no arguable issue exists. We are therefore satisfied that Rios's attorney complied with his responsibilities. (*People v. Wende, supra*, 25 Cal.3d at p. 441.)

DISPOSITION

The judgment is affirmed.
NOT TO BE PUBLISHED.

CHANNEY, Acting P. J.

We concur:

BENDIX, J.

WEINGART, J.*

* Judge of the Los Angeles Superior Court, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.